



Order Filed on July 10, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Gorski & Knowlton PC

By: Allen I. Gorski, Esquire

311 Whitehorse Ave, Suite A

Hamilton, New Jersey 08610

(609) 964-4000

(609) 585-2553 - facsimile

agorski@gorskiknowlton.com

Attorneys for Creditor, Hudson Associates

In Re:

Frederick J. LaVergne,

Debtor.

Chapter 13

Case No.: 16-32813

Judge: Michael B. Kaplan

**ORDER GRANTING HUDSON ASSOCIATES MOTION TO VACATE THE STAY & DENYING  
DEBTORS CROSS MOTION DETERMINE STAY APPLIES**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: July 10, 2017**

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

**(Page 2)**

Debtor: Frederick J. Lavergne

Case No: 16-32813

Caption of Order: Order Granting Hudson Associates Motion to Vacate the Stay & Denying  
Debtors Cross Motion Determine Stay Applies

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THIS MATTER having come before the Court, on March 28, 2017, April 11, 2017 and June 13, 2017, Allen I. Gorski, Esquire, Gorski & Knowlton appearing on behalf of the Creditor/Movant, Hudson Associates, Fredrick J. Lavergne appearing Debtor pro se, David Martin, Esquire, appearing for the Standing Chapter 13 Trustee, Albert Russo and Nicholas Rogers, Esquire, appearing for Christiana Trust, the Court having reviewed the moving papers and having heard argument of counsel at each hearing, and for good cause shown;

IT IS hereby ORDERED:

1. The Hudson Associates motion to vacate the stay is granted in full after August 8, 2017. Pending August 8, 2017, Hudson Associates is granted limited relief from the automatic stay to take all steps to reschedule the sheriff sale of the Maine property but not to conduct the sale prior to August 8, 2017. Hudson Associates has full relief from the automatic stay effective August 8, 2017 subject to further order of the Court.
2. The Debtor's cross motion to determine the stay applies is hereby denied as moot.
3. Hudson Associates shall provide Debtor by email a calculation of the pre-petition arrears by June 23, 2017. The Debtor shall file a modified plan by July 7, 2017.
4. The Debtor shall have bankruptcy counsel enter an appearance on Debtor's behalf by June 23, 2017.
5. The confirmation hearing shall be adjourned to Tuesday, August 8, 2017 at 10:00 a.m.

**(Page 3)**

Debtor: Frederick J. Lavergne

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6. The Debtor shall maintain adequate protection payment to Hudson Associates for July and August, maintain insurance and maintain real estate tax payments pursuant to April 21, 2017 Court Order (Doc #41).

7. Debtor shall provide to Hudson Associates counsel updated paystubs that are being provided to the Chapter 13 Trustee and copies of any other documents transmitted to the Chapter 13 Trustee.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Frederick John LaVergne  
Debtor

Case No. 16-32813-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jul 10, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 12, 2017.

db +Frederick John LaVergne, 312 Walnut Street, Delanco, NJ 08075-4658

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 12, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 10, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Allen I Gorski on behalf of Creditor Hudson Associates agorski@gorskiknowlton.com  
Denise E. Carlon on behalf of Creditor CHRISTIANA TRUST, A DIVISION OF WILMINGTON SAVINGS  
FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY BUT AS TRUSTEE OF ARLP TRUST 3  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
James Patrick Shay on behalf of Creditor CHRISTIANA TRUST, A DIVISION OF WILMINGTON SAVINGS  
FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY BUT AS TRUSTEE OF ARLP TRUST 3  
james.shay@phelanhallinan.com  
Jenelle C Arnold on behalf of Creditor Christiana Trust, a div. of Wilmington Savings Fund  
Society, FSB bkecfinbox@aldridgepite.com, jarnold@ecf.inforuptcy.com  
Michael Frederick Dingerdissen on behalf of Defendant PHELAN, HALLINAN, DIAMOND, JONES, PC  
nj.bkecf@fedphe.com  
Nicholas V. Rogers on behalf of Creditor FAY SERVICING, LLC nj.bkecf@fedphe.com  
R. A. Lebron on behalf of Defendant Aldridge Pite, L.L.P in the capacity as Agent for  
Christiana Trust a Div. of Wilmington Savings Fund Society, FSB, Trustee of ARLP Trust 3  
bankruptcy@feinsuch.com  
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov  
William M.E. Powers on behalf of Defendant Fay Servicing, L.L.C. ecf@powerskirn.com  
TOTAL: 10